

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 38

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Pre-filed December 1, 2008, and ordered printed.

Read 2nd time January 22, 2009, and referred to the Committee on Jobs, Economic Development and Local Government.

Reported from the Committee February 11, 2009, with recommendation that the bill do pass and be placed on the Consent Calendar.

Removed from the Consent Calendar February 17, 2009.

Re-reported from the Committee February 26, 2009, with recommendation that the bill do pass.

Taken up for Perfection March 3, 2009. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

0319S.01P

AN ACT

To repeal sections 48.020 and 48.030, RSMo, and to enact in lieu thereof two new sections relating to counties changing classification.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 48.020 and 48.030, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 48.020 and 48.030, to
3 read as follows:

48.020. 1. All counties of this state are hereby classified, for the purpose
2 of establishing organization and powers in accordance with the provisions of
3 section 8, article VI, Constitution of Missouri, into four classifications determined
4 as follows:

5 Classification 1. All counties having an assessed valuation of ~~[six]~~ **seven**
6 hundred **fifty** million dollars and over shall automatically be in the first
7 classification after that county has maintained such valuation for the time period
8 required by section 48.030; however, any county of the second classification
9 which, on August 13, 1988, has had an assessed valuation of at least four
10 hundred million dollars for at least one year may, by resolution of the governing
11 body of the county, elect to be classified as a county of the first classification after
12 it has maintained such valuation for the period of time required by the provisions
13 of section 48.030.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

14 Classification 2. All counties having an assessed valuation of [four] **six**
15 hundred [fifty] million dollars and less than the assessed valuation necessary for
16 that county to be in the first classification shall automatically be in the second
17 classification after that county has maintained such valuation for the time period
18 required by section 48.030.

19 Classification 3. All counties having an assessed valuation of less than the
20 assessed valuation necessary for that county to be in the second classification
21 shall automatically be in the third classification.

22 Classification 4. All counties which have attained the second classification
23 prior to August 13, 1988, and which would otherwise return to the third
24 classification after August 13, 1988, because of changes in assessed valuation
25 shall remain a county in the second classification and shall operate under the
26 laws of this state applying to the second classification.

27 **2. The required assessed valuation for each classification under**
28 **subsection 1 of this section shall be increased by an amount equal to**
29 **any percentage increase in the consumer price index.**

48.030. 1. Other than as otherwise provided for in this section, after
2 September 28, 1979, no county shall move from a lower class to a higher class or
3 from a higher class to a lower class until the assessed valuation of the county is
4 such as to place it in the other class for five successive years.

5 2. No second class county shall become a third class county until the
6 assessed valuation of the county is such as to place it in the third class for at
7 least five successive years [and until the assessed valuations for calendar year
8 1985 have been entered on the tax rolls of each county in accordance with
9 subsections 6 and 7 of section 137.115, RSMo].

10 3. Notwithstanding the provisions of subsection 1 of this section, a county
11 may become a first **or second** class county at any time after the assessed
12 valuation of the county is such as to be a first **or second** class county and the
13 governing body of the county elects to change classifications. The effective date
14 of such change of classification shall be [in accordance with the provisions of this
15 section] **at the beginning of the county fiscal year following the election**
16 **by the governing body of the county.**

17 4. **Except as provided in subsection 3 of this section,** the change
18 from one classification to another shall become effective at the beginning of the
19 county fiscal year following the next general election after the certification by the
20 state equalizing agency for the required number of successive years that the

21 county possesses an assessed valuation placing it in another class. If a general
22 election is held between the date of the certification and the end of the current
23 fiscal year, the change of classification shall not become effective until the
24 beginning of the county fiscal year following the next succeeding general election.

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